

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND  
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.  
*See* Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

OCT 27 2011

COURT OF APPEALS  
DIVISION TWO

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION TWO

THE STATE OF ARIZONA,	)	2 CA-CR 2011-0048
	)	DEPARTMENT A
Appellee,	)	
	)	<u>MEMORANDUM DECISION</u>
v.	)	Not for Publication
	)	Rule 111, Rules of
FLORENCIO ROMAN-LIZARRAGA,	)	the Supreme Court
	)	
Appellant.	)	
_____	)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR20094136003

Honorable Deborah Bernini, Judge  
Honorable Jane L. Eikleberry, Judge

AFFIRMED

\_\_\_\_\_  
Emily Danies

\_\_\_\_\_  
Tucson  
Attorney for Appellant

\_\_\_\_\_  
E C K E R S T R O M, Presiding Judge.

¶1 Following a four-day jury trial, Florencio Roman-Lizarraga was convicted of conspiracy to possess a narcotic drug for sale, possession of a narcotic drug for sale, and sale of a narcotic drug. *See* A.R.S. §§ 13-1003, 13-3408(A)(2), (7), 13-3401(5), (20)(z). The trial court sentenced him to concurrent ten-year prison terms for each offense. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), in which she avows she has reviewed the record but has found no arguable issue to raise and requests that we search the record for fundamental error. Roman-Lizarraga has not filed a supplemental brief.

¶2 Viewing the evidence in the light most favorable to sustaining the verdict, we find there was sufficient evidence to support the jury's finding of guilt. *See State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999). On October 19, 2009, Roman-Lizarraga and another individual sold approximately 250 grams of cocaine to a confidential informant. That informant was brokering a deal to purchase twenty kilograms of cocaine from Roman-Lizarraga and his co-conspirators. After several meetings with Roman-Lizarraga and others, on October 21 the informant went to a residence to inspect the cocaine. After the informant was driven back to his car, accompanied by Roman-Lizarraga, law enforcement officers raided the house, finding approximately twenty kilograms of cocaine. Roman-Lizarraga was then arrested along with several others.

¶3 Roman-Lizarraga's sentences are within the prescribed statutory range and were imposed lawfully. *See* A.R.S. §§ 13-701(C), (D)(4), (6), (24), 13-702(D), 13-

1003(C), 13-3408(B)(2), (7). Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and, having found none, affirm Roman-Lizarraga's convictions and sentences.

/s/ *Peter J. Eckerstrom*

PETER J. ECKERSTROM, Presiding Judge

CONCURRING:

/s/ *J. William Brammer, Jr.*

J. WILLIAM BRAMMER, JR., Judge

/s/ *Virginia C. Kelly*

VIRGINIA C. KELLY, Judge